

MINUTES Telecommunications Commission February 28 2008

I. Call to Order.

Chairman Terry Lottes called the meeting to order at 7:10 p.m. in the County Administration conference room in the Administration Center, located at 1300 Courthouse Road.

II. Roll Call.

The following members were present: Terry Lottes, Thomas Kimbrell, Alicia Knight, Jim Minor, Edward Sullivan and John Johnson. Tami Watkins with Comcast and Jaybo Johnson with Cox attended the meeting. Also present were Valerie Cottongim representing the Stafford School Board, and Cathy Riddle and Michele Lansford, Public Information Office, representing the County.

III. Presentations by the Public

Michael Fox, 51 Lightfoot Drive, detailed several problems with his Comcast programming and bills, including lineup changes with no notice; an increase in monthly billing, even without the “Gold Package” he purchased; no response from Comcast when he requested a billing adjustment; and several termination notices. He pointed out that the County’s cable franchise agreements require 30-day notice for programming changes and a list of all services and channel lineups once a year, which he did not receive. Several commission members said that Comcast did fail to provide adequate notice to a many customers. Mr. Fox also said he was unable to contact Ms. Watkins to solve these problems. Ms. Watkins said she was unable to call him due to illness.

Mr. Kimbrell pointed out that the County has no authority over programming changes – that is regulated by the Federal Communications Commission.

Ms. Watkins told Mr. Fox that his file did not contain any notes, and she needed copies of correspondence from him – he provided her with the copies. Ms. Knight directed Ms. Watkins to resolve the matter by close of business on Friday, February 29, 2008 and send an e-mail to the Ms. Lansford to forward to the commission. Ms. Watkins agreed.

IV. Approval of Minutes

Members requested that certain corrections be made to the January 3, 2008 and January 24, 2008 minutes. Ms. Lansford noted the corrections. Ms. Knight moved, seconded by Mr. Sullivan, to approve the January 3 minutes; the motion passed unanimously. Ms. Knight moved, seconded by Mr. Sullivan, to approve the January 24 minutes; the motion passed unanimously.

V. Members’ Concerns

Ms. Knight said she had asked Comcast two months previously if the Epsteins on Hidden Lane and the residents at 329 Tacketts Mill Road (and other homes on that road) could get cable

service, but hadn't gotten a response. She also asked Ms. Watkins if cable service can be provided on Sequester Drive. She asked Ms. Watkins to let her know as soon as possible. She also reported that citizens on Van Horn Lane have noticed an improvement in service with Comcast. She said she personally received outstanding repair service over the President's Day weekend when the digital channel was out for more than eight hours, and got a \$5.00 credit on her bill.

Ms. Knight suggested the commission visit Alexandria and Henrico County to tour their community media studios and talk to the programming directors.

Mr. Kimbrell asked Mr. Jaybo Johnson if the damages to Mr. Josh Bartz's yard had been repaired. Mr. Johnson said he would let him know the status of the repairs.

Ms. Riddle asked Ms. Watkins to report on the status of work to provide cable service to the Berea Fire and Rescue Station and the Utilities Administration Offices on PGA drive. Ms. Watkins said she would e-mail her an update on February 29, 2008.

Mr. Lottes asked Ms. Watkins for an update about resolving a billing problem for Charles Morgan, 29 Whispering Oaks Lane. He said Mr. Morgan had not received a response even after calling Marie Schuler with Comcast. Ms. Watkins said she would get back to Mr. Lottes with the information.

Mr. Lottes said he'd received calls from citizens that the live broadcasts of Board of Supervisors meetings frequently "go out" on Comcast channel 23. Ms. Riddle said that the last time this happened, she called Comcast and was told that the interruption was due to field testing. He then asked Ms. Watkins about information he'd received from Rick Riley that Comcast had issued a work stoppage on all construction due to a capital investment problem – she responded that bad weather delays construction work, but she did not know of any funding problems. She said she would contact Mr. Riley for more details.

Mr. John Johnson asked Ms. Watkins which office his constituents should contact when they have billing problems – he said they need local addresses. Ms. Watkins said they should contact the office in Manassas, or hers in Alexandria.

Ms. Knight said that when she called Comcast for an updated description of all packages offered and the prices, she was told to check their Web site. Ms. Watkins confirmed that the rate card is on the Web site, and that promotions and package information is usually provided to customers by mail. Ms. Knight said Comcast should provide more information by mail, and that she could not find the cost for packages on the Web site. Mr. Kimbrell agreed that the information is difficult to find online.

Mr. Jaybo Johnson said Cox is re-designing their site to be more user-friendly.

VI. Agenda Additions.

Ms. Knight asked County staff to prepare a report for the March 2008 meeting detailing the amount and categories of telecommunications fees the County received from the state, if Stafford is receiving taxes on satellite dishes, into what account the PEG fees are deposited, and how the County assures it received all taxes to which it is entitled. She said the franchise agreements stipulate the funds be spent on studio space, equipment, and local programming. Mr. Lottes agreed that commission needed to know the amount of fees collected and the accounts in which they are placed. Ms. Riddle said she would provide the report at the March 27, 2008 meeting.

Mr. John Johnson asked how Stafford would handle public programming. Ms. Knight responded that the county should set up a studio for public access programming, arrange for a non-profit organization to manage it, and hire a station manager. She also said PEG fees should pay for some of the school system's programming expenses. Ms. Cottongim said that each of the five high schools has studios, and are producing videos for the education channels.

Mr. Lottes asked her what steps the commission should take to accomplish this. She responded that the Board of Supervisors would have to specifically dedicate the funding, and said that start-up costs would run approximately \$250,000. Ms. Knight said she will talk with people she knows who run existing studios.

Mr. Minor asked what the communications taxes are spent on once they go into the general fund, and what the chances are of dedicating PEG fees for studio costs. Mr. Kimbrell said it would be easier to spend the PEG fees for studios, but that it would be difficult for the County to audit the process by which Virginia returns telecommunications taxes to localities.

Ms. Riddle passed out a copy of a letter from the County to Cavalier Telephone allowing them to delay payment of fees until they sign up customers (the Cavalier franchise agreement was finalized and signed in 2007). She said the company could not begin providing service until they had HD/DVR-compatible boxes in stock.

VII. New Business

Members engaged in a general discussion about the new role of the Telecommunications Commission, including broadband service. Ms. Riddle said she will ask the Information Technology Department to provide maps showing the areas in the County that have broadband coverage. She will also invite officials from King George County to attend a meeting to present information about how that locality contracted with a private company to provide broadband to citizens.

Closed Meeting: At 8:40 p.m., Mr. Kimbrell moved, seconded by Ms. Knight, to go into a Closed Meeting on the following item:

Legal: To discuss negotiation of the Verizon franchise agreement.
Section 2.2-3711 A7
Code of Virginia

The voting tally was:

Yea: (6) Lottes, Knight, Kimbrell, Minor, Sullivan, Johnson.

Call to Order. At 9:07 p.m., the Chair called the meeting back to order.

Closed Meeting Certification: Mr. Kimbrell moved, seconded by Mr. Johnson, to adopt proposed Resolution CM08-03.

The voting tally was:

Yea: (6) Lottes, Knight, Kimbrell, Minor, Sullivan, Johnson.

Resolution CM08-03 reads as follows:

**A RESOLUTION TO CERTIFY THE ACTIONS OF THE STAFFORD
COUNTY CABLE AND TELECOMMUNICATIONS COMMISSION IN A
CLOSED MEETING ON FEBRUARY 28, 2008**

WHEREAS, the committee has, on this the 28th day of February, 2008, adjourned into a closed meeting in accordance with a formal vote of the commission and in accordance with provisions of the Virginia Freedom of Information Act; and

WHEREAS, the Virginia Freedom of Information Act, as it became effective July 1, 1989, provides for certification that such Closed Meeting was conducted in conformity with law;

NOW, THEREFORE, BE IT RESOLVED that the Stafford County Cable and Telecommunications Commission does hereby certify, on this the 28th day of February, 2008, that to the best of each member's knowledge: (1) only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom Act were discussed in the Closed Meeting to which this certification applies; and (2) only such public business matters as were identified in the Motion by which the said Closed Meeting was convened were heard, discussed, or considered by the committee. No member dissents from the aforesaid certification.

The motion passed unanimously.

VIII. Adjournment

At 9:08 p.m., Mr. Kimbrell moved to adjourn the meeting; Mr. John Johnson seconded; the motion passed unanimously.